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TS

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/340,218 06/25/99 CHADWICK

G MGC9901

EXAMINER

WM02/0312

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LOCKETT, E	
ART UNIT	PAPER NUMBER

2681

DATE MAILED:

03/12/01

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/340,218	Applicant(s) CHADWICK, GEORGE G.	
	Examiner Eric D Lockett	Art Unit 2681	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claims ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- | | |
|---|--|
| 15) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 18) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____. |
| 16) <input checked="" type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 19) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 17) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) <u>4+5</u> . | 20) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-8, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boers (US patent #5,302,960) in view of Engellenner (US patent #6,057,756).
3. Regarding claim 1, Boers et al. discloses a method comprising the steps of: generating a radio frequency signal; feeding said radio frequency signal to a conductor; said conductor (30) being within a structure; creating a quasi-static non-propagating electromagnetic field within said structure; and using said electromagnetic field to convey said radio frequency signal to a electronic device (20) generally located within said structure (column 3 lines 10 to 63, column 4 lines 30 to 44, column 5 lines 5 to 17, column 6 lines 28 to 44). However, Boers didn't disclose wherein the electronic device is a receiver. Engellenner discloses wherein the electronic device is a receiver (column 2 lines 49 to 59, column 7 line 40 to column 8 line 30. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boers and Engellenner. Combining the teachings would provide a way to communicate to a receiver efficiently reducing the amount of wires and any outside interference.

4. Regarding claim 2, Boers in view of Engellenner disclose all of the limitations of claim 1. Engellenner discloses in which said signal is generated using the High Frequency Band (column 3 lines 45 to 65).

5. Regarding claim 3, Boers in view of Engellenner disclose all of the limitations of claim 1. Engellenner discloses in which said signal is generated using the Very High Frequency Band (column 3 lines 45 to 65).

6. Regarding claim 4, Boers in view of Engellenner disclose all of the limitations of claim 1. Engellenner discloses in which said signal is generated using the Ultra High Frequency Band (column 3 lines 45 to 65).

7. Regarding claim 5, Boers in view of Engellenner disclose all of the limitations of claim 1. Boers discloses in which said radio frequency signal is generated using a frequency band which is characterized by a wavelength having a maximum dimension which is generally less than ten wavelengths in any dimension (column 2 lines 31 to 36).

8. Regarding claim 6, Boers in view of Engellenner disclose all of the limitations of claim 1. Boers discloses in which said radio frequency signal is generated using a frequency band which does not generally cause interference outside said structure in the HF band (column 4 lines 12 to 29).

9. Regarding claim 7, Boers in view of Engellenner disclose all of the limitations of claim 1. Boers discloses in which said radio frequency signal is fed to said conductor using a direct hard-wired connection (column 8 lines 5 to 30).

10. Regarding claim 8, Boers in view of Engellenner disclose all of the limitations of claim 1. Boers discloses in which said radio frequency signal is fed to said conductor by

exciting said conductor with transmitted radio frequency energy (column 6 lines 28 to 44).

11. Regarding claim 11, Boers in view of Engellenner disclose all of the limitations of claim 1. Boers further discloses in which said conductor is a structural member (column 4 lines 30 to 44).

12. Claims 9 and 10 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boers (US patent #5,302,960) in view of Engellenner (US patent #6,057,756) in further view of Needle et al. (US patent #6,160,405)

13. Regarding claim 9, Boers in view of Engellenner disclose all of the limitations of claim 1. However, Boers in view of Engellenner do not discloses in which said conductor is an electrical wire. Needle et al. discloses in which said conductor is an electrical wire (column 2 lines 47 to 52). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boers, Engellenner, and Needle et al. Combining the teachings would be beneficial since it reduce the cost since it would implement a conductor that is commonly found in houses.

14. Regarding claim 10, Boers in view of Engellenner disclose all of the limitations of claim 1. However, Boers in view of Engellenner do not discloses in which said conductor is a water pipe. Needle et al. discloses in which said conductor is a water pipe (column 2 lines 47 to 52). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boers, Engellenner, and Needle et al. Combining the teachings would be beneficial since it reduce the cost since it would implement a conductor that is commonly found in houses.

15. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boers (US patent #5,302,960) in view of Engellenner (US patent #6,057,756) in further view of Abbey (US patent #6,151,354).

16. Regarding claim 12, Boers in view of Engellenner disclose all of the limitations of claim 1. However, Boers in view of Engellenner do not disclose allowing simultaneous operation in the HF, VHF, and lower UHF band with multiple connections; and filtering said multiple connections to insure signal separation. Abbey discloses allowing simultaneous operation in the HF, VHF, and lower UHF band with multiple connections; and filtering said multiple connections to insure signal separation (column 1 lines 20 to 33, column 2 lines 13 to 37, column 3 lines 7 to 32). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boers, Engellenner, and Schimmeyer et al. Combining the teachings would be beneficial since it would eliminate the need for additional equipment to operate in various modes.

17. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Boers (US patent #5,302,960) in view of Engellenner (US patent #6,057,756) in further view of Schimmeyer et al. (US patent #5,696,861).

18. Regarding claim 13, Boers in view of Engellenner disclose all of the limitations as set forth in claim 1. However, Boers in view of Engellenner do not disclose installing said receiver by inserting a conventional power plug into a conventional electrical socket; and feeding said signal to said conductor through a third ground prong on said power plug. Schimmeyer et al. discloses installing said receiver by inserting a

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conventional power plug into a conventional electrical socket; and feeding said signal to said conductor through a third ground prong on said power plug (column 1 line 45 to column 2 line 7). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Boers, Engellenner, and Schimmeyer et al. Combining the teachings would be beneficial since it would eliminate unnecessary wires and expense since less materials would be required.

Conclusion

19. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

PATENT NUMBER NAME

6,081,728	Stein et al. – Strip-type radiating cable for a radio communication system
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20. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Eric Lockett whose telephone number is (703) 308-4133. The examiner can normally be reached on Monday- Fridays from 9:00 AM to 5:30 PM.

21. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dwayne Bost, can be reached on (703) 305-4778. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-9508.

22. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4700.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-6306, (for formal communications intended for entry and informal or draft communications, please label "FORMAL," "PROPOSED," or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

EW
Eric Lockett

3/5/2001

N. Maung
NAY MAUNG
PRIMARY EXAMINER